

**REMARKS**

Claims 1-4 are pending in this application. By this Amendment, claim 1 is amended.

Entry of the amendments is proper under 37 C.F.R. §1.116 since the amendments: (a) place the application in condition for allowance (for the reasons discussed herein); (b) do not raise any new issue requiring further search and/or consideration (since the amendments amplify issues previously discussed throughout prosecution); (c) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (d) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

Applicant appreciates the courtesies shown to Applicant's representative by Examiners Di Grazio and Kim in the December 12 personal interview. Applicant's separate record of the substance of the interview is incorporated into the following remarks.

**I. INFORMATION DISCLOSURE STATEMENT**

An Information Disclosure Statement with Forms PTO-1449 was filed in the above-captioned patent application on October 2, 2003 and November 14, 2003. Applicant has not yet received from the Examiner a copy of the Form PTO-1449 initialed to acknowledge the fact that the Examiner has considered the disclosed information. The Examiner is requested to initial and return to the undersigned a copy of the Forms PTO-1449. For the convenience of the Examiner, a copy of each form is attached.

**II. THE CLAIMS DEFINE PATENTABLE SUBJECT MATTER**

The Office Action rejects claims 1-4 under the judicially created doctrine of obviousness-type double patenting over claims 1-3, 5-9 and 11 of U.S. Patent No. 5,986,739 to Kobayashi. This rejection is respectfully traversed.

Kobayashi does not teach, disclose or suggest "a plurality of electrode strips arranged on the protective layer and extending from a formation region of the protective layer to an unformed region of the protective layer, an electrode strip in a step portion forming an outline of the protective layer being set to be narrower than an electrode width of an electrode strip in the protective layer," as recited in claim 1. For example, Kobayashi does not teach, disclose or suggest an electrode strip in a step portion forming an outline of the protective layer as shown in Figs. 3 and 4.

Instead, Kobayashi is silent as to the claimed protective layer as well as the step portion of the protective layer. Figs. 6 and 7 of Kobayashi do not teach, disclose or suggest such claimed features.

For at least these reasons, it is respectfully submitted that claim 1 is patentable over Kobayashi. The dependent claims are likewise patentable over the applied reference for at least the reasons discussed as well as for the additional features they recite. Applicant respectfully requests that the rejection under the judicially created obviousness-type double patenting be withdrawn.

### **III. CONCLUSION**

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-4 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff  
Registration No. 27,075

Richard J. Kim  
Registration No. 48,360

JAO:RJK/mdw

Attachments:

PTO Forms 1449 (2)

Date: June 13, 2003

**OLIFF & BERRIDGE, PLC**  
**P.O. Box 19928**  
**Alexandria, Virginia 22320**  
**Telephone: (703) 836-6400**

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
--